

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

IN RE TERRORIST ATTACKS ON SEPTEMBER 11, 2001	Civil Action No. 03 MDL 1570 (GBD)(FM)
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This document relates to:

Burnett, et al. v. Al Baraka Inv. & Dev. Corp., et al., Case No. 03-cv-9849 (GBD)(SN)

[PROPOSED] ORDER

Plaintiffs in *Burnett, et al. v. Al Baraka Inv. & Dev. Corp., et al.*, No. 03-cv-9849 (the “*Burnett* Plaintiffs”), move to amend their complaint under Federal Rule of Civil Procedure 15. ECF No. 10955.¹ They also request certain additional considerations to facilitate amendment.

Federal Rule of Civil Procedure 15(a)(2) permits a party to amend its complaint with the court’s leave. Courts are directed to “freely give leave when justice so requires.” *Id.* This decision is committed to the discretion of the court, *McCarthy v. Dun & Bradstreet Corp.*, 482 F.3d 184, 200 (2d Cir. 2007), but granting “leave to amend is the ‘usual practice,’” *Bank v. Gohealth, LLC*, No. 21-cv1287, 2022 WL 1132503, at *1 (2d Cir. Apr. 18, 2022) (quoting *Hayden v. Cnty. Of Nassau*, 180 F.3d 42, 53 (2d Cir. 1999)). *See Foman v. Davis*, 371 U.S. 178, 182 (1962) (finding that leave to amend should be granted “[i]n the absence of any apparent or declared reason—such as undue delay, bad faith or dilatory motive on the part of the movant, repeated failure to cure deficiencies by amendments previously allowed, undue prejudice to the opposing party by virtue of allowance of the amendment, futility of the amendment . . .”). These claims are not futile, will not unduly delay these proceedings or prejudice the Taliban, and were not filed in bad faith or with a dilatory motive. The *Burnett* Plaintiffs’ motion is therefore GRANTED, and it is further ORDERED that:

¹ Unless otherwise noted, all ECF numbers refer to the main MDL docket, 03-md-01570.

- The underlying complaint in *Burnett*, No. 03-cv-09849, is amended to include the thirty-three (33) parties identified in the *Burnett* Plaintiffs' exhibit at ECF No. 10957-1 as parties in the action against the Taliban;
- These amendments supplement, but do not displace, the underlying operative complaint in *Burnett*, No. 03-cv-9849;
- Prior rulings, orders, and judgments entered in this case remain in effect as to all parties; and
- Further service on the Taliban is not required as a result of these amendments, and prior service orders apply, including the Court's order on service by publication at ECF Nos. 445, 488.

The Clerk of Court is respectfully directed to terminate the motion at ECF No. 10955 and the related motion at ECF No. 1235 in *Burnett*, No. 03-cv-9849.

SO ORDERED.

SARAH NETBURN
United States Magistrate Judge

DATED: _____, 2025
New York, New York

EXHIBIT A

Burnett, et al. v. Al Baraka Inv. Dev. Corp., et al., Case No. 03-cv-9849 (GBD)(SN)
 Motion to Add Parties Against the Taliban

#	Plaintiff Name	Relationship to 9/11 decedent	State of Domicile	Country of citizenship	9/11 Decedent Name
1	Theodore S. Beck, as Representative of the Estate of Susan Beck, Deceased	Parent	NY	United States	Lawrence Ira Beck
2	Scott David Beck	Sibling	NY	United States	Lawrence Ira Beck
3	Laura Mary Bilcher-Steffensen	Sibling	NY	United States	Brian Bilcher
4	Janine Ashley Birt	Child	FL	United States	Angela Susan Scheinberg
5	Anna Marie Bocchino	Sibling	NJ	United States	Edward Frank Pullis
6	Stacey Marie Booker	Sibling	NJ	United States	Sean Booker
7	Laverne Booker	Sibling	DE	United States	Sean Booker
8	Sonya Booker	Sibling	PA	United States	Sean Booker
9	Bradley Blakeslee Bullis	Sibling	CT	United States	Dianne Bullis Snyder
10	John Andrew Bullis	Sibling	CT	United States	Dianne Bullis Snyder
11	Elizabeth Frances Bullis-Wiese	Sibling	CT	United States	Dianne Bullis Snyder
12	Maureen Lucille Campbell	Parent	United Kingdom	United Kingdom	Geoffrey Thomas Campbell
13	Robert Benjamin Campbell	Sibling	United Kingdom	United Kingdom	Geoffrey Thomas Campbell
14	Matthew Ian Campbell	Sibling	United Kingdom	United Kingdom	Geoffrey Thomas Campbell
15	Russell B. Connors	Sibling	ME	United States	Kevin P. Connors
16	Teresa Veling Czark	Sibling	SC	United States	Lawrence Gerard Veling
17	Lisa Ann DeAngelis	Child	CT	United States	Robert Joseph DeAngelis, Jr.
18	Jenna Marie DeAngelis	Child	NY	United States	Robert Joseph DeAngelis, Jr.
19	Joan Marie DeAngelis	Sibling	NY	United States	Robert Joseph DeAngelis, Jr.
20	Michael David Fiedel	Sibling	NY	United States	Kristen Nicole Fiedel
21	Diane Lorraine Hunt	Parent	MA	United States	William Christopher Hunt
22	Daniel Walter Hunt	Sibling	MA	United States	William Christopher Hunt
23	Keith King	Half-sibling	MA	United States	Sean Booker
24	Peter John Lynch, as Representative of the Estate of James Francis Lynch, Deceased	911D	NJ	United States	James Francis Lynch
25	May-Lis Manley	Sibling	MD	United States	Sara Elizabeth Manley
26	John Edward Manley, Jr.	Sibling	NJ	United States	Sara Elizabeth Manley
27	Lisa Caroline Miller-Kelly	Child	NJ	United States	Robert Cromwell Miller, Jr.
28	Lauren Coombs Murphy	Sibling	MA	United States	Jeffrey W. Coombs
29	Mary Elizabeth Platek	Sibling	NY	United States	Robert Joseph DeAngelis, Jr.
30	Tina Gaetana Pullis	Parent	NJ	United States	Edward Frank Pullis
31	Josephine Anne Pullis	Sibling	PA	United States	Edward Frank Pullis
32	Paige Jenna Tipaldi	Half-sibling	NJ	United States	Robert Frank Tipaldi
33	Erica Zimmerman-Basnicki	Step-Child	United Kingdom	Canada	Kenneth William Basnicki